

Order taken & enacted,
for Orphans
and their
portions.

Anno M D.

LXXX.

James Dyer

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Orders enacted.

AD Commune concilium, tētum in
 Guildhaldia ciuitatis Lōdini, xiii,
 die Octob. Anno regni Eduardi sex-
 ti, Dei gratia Angliæ, Franciæ & Hi-
 berniæ Regis, fidei defensoris, & in
 terra Ecclesiæ Anglicanæ, & Hiberni-
 cæ supremicapitis, quinto: coram An-
 drea Iudde Milite, tunc Maiore, &
 Aldremannis Ciuitatis illius, ordina-
 ta sunt inter alia, inactitata, conces-
 sa & stabilita, omnia & singula sub-
 sequentia.



Enasmuch as the Ci-
 tie of London, is of
 late yeres sore decay-
 ed, and dayly is lyke
 to decaye, more and
 more: A great cause &
 occasion whereoff among other, hath
 ben, for that fræ mens childzen, (Or-
 phanes of the sayd Citie) sometimes
 in the lyues of their Parents, and
 sometimes after their deceases, be-
 ing leste wealthy and rich, doe be-
 stow themselves in vngodly Maria-
 ges,

Orders enected

ges, for the most part in their young age, at their owne wills & pleasures, without the consent and against the myndes of their friends, saying & affirming, that the Law & custome of the said Citie giueth vnto them their portions, whether they marry by the assent of their friends or not, & so do daily cast away & vndoe themselves, in trust to haue their saide portions, whether their parents or friends will or will not. And thereby doe they bestow themselves vpon simple & light persons, hauing neither cūning, knowledge, substance, ne good or handy conditions. By reason where-off, such Orphanes, inordinately, & insolently, do spende & consume their patrimony & portions in short time, not only to the vndoing of themselves, and to the great ignomie & shame of their friends, but also to the great number of the Lord Mayor & Aldermen of this citie (who bene reputed & taken as Fathers & Protectors of the same Orphanes) & to the great losse and hinderaunce of the said Citie.

And

for Orphanes.

And forasmuch as the sayd Lord
Maioꝝ and Citizens; haue by theyr
lawes, and customes, power and au-
thoritie to make lawes and ordinau-
ces, by their common counsaile, for
redresse of the same. It is therefore
now (to the intent to reduce the same
to a moze godly, moze profitable and
decent order and confoꝛmitie) by the
said Lord Maioꝝ, and Communaltie,
and Citizens, in this present com-
mon counsaile assembled, and by
auctoritye of the same common
Counsaile, enacted, ordeined, authori-
zed, & established for a Law perpetu-
ally to be obserued & kept within the
said Citie. That if any Orphane, or
childe of anye free man or free wo-
man, of the sayd Citie doe offend in
any the things hæreafter expessed,
and be thereof lawfully conuicted,
afoze the Lorde Maioꝝ and the Al-
dermen or els where, that then they
and euery of them, shall to al entents
purposes, constructions & meanings;
be vnabled and barred to demanda
and claime their poztion or poztibis,

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& also shal lose & forgoe & be barred
for ever, of all and every his, hir, or
their part or parts, & portions to him
or them belonging, by and after the
death of his or their said father or
mother, of y goods & cattalles, of eve-
ry such father & mother, by reason of
any Law, custome, ordinance, blage,
fraunches, privilege, act of Comune
counsaile, or other thing, heretofore
had or used, within y sayd Citie. The
same Law, Custome, Ordinaunce, or
other thing whatsoever, heretofore
had, made, ordeined, allowed, & put
in use, to the contrarie in any wise
notwithstanding. That is to wit.
First, if any māchilde, or womāchilde,
shal maliciously go about or attempt
to do, or cause to be done, any bodily
harme, death, or destruction to his or
their ffather or Mother: And if any
manchilde do hereafter mary or con-
tract mariage in the life of his father
or mother (by whom he will clayme
any portion) vnder the age of xxi.
yeres, without y consent of his sayd
father, or Mother, by whom he
will

for Orphanes.

will claime any portion: **D**: if any womanchilde doe hereafter mary or contract mariage, in the life of hir father, or other parent, by whom she shall claime any portion, before the age of .xviii. yeares, without the consent of hir ffather, or such other Parent by whome she shall or maye claime any portion: **D**: if any manchilde bee a Thiefe, or a Fellon, or a common whoze haunter, a common Diser, or a comon player at vnlawfull games notoziously known: **D**: if any womanchilde shal hereafter commit any whozedome, or be a common Pickier, that then euery of þ persons so offending, shalbe barred & excluded to haue, or demaund any portion.

Prouided alwayes, that it shalbe lawfull, for the father, or mother of any such childe, or childzen, to giue & bequeath in Legacie, to such childe or childzen, as much as the portion of such childe so, offending shal amount vnto, by the custome of the said citie and then such childe therby to be enabled to haue, & demaund the same, as po:

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tion, this Act, notwithstanding, so that the same Legacie be contined in his or their testament in writing, & not otherwise. And that then, and from thenceforth, his said childe, or childre, to be admitted and restored to claime such legacie, or legacies, in such sort, manner & forme, as if there had ben never any such offence done, or committed by any such childe.

Item, it is further ordeined, enacted, authorized and established, by the authoritie aforesaid, that if any woman childe, being an Orphane, & under the age of xxi. yeares, at any time hereafter, after y^e death of hir father, do ensure or contract hir selfe in marriage, or els according to the Ecclesiastical lawes of this Realme, do perfectly solempnize or consummate Marriage, with any free man of this Citie, the consent & agreemēt of y^e Lord Mayor and Aldermen of this sayd citie of London for the time being, not obtained & had, that then for everie such default & offence committed or done, by any Orphane or Orphanes,
of

for Orphanes.

of the sayde Citie, the same beeing
confessed or sufficientlve proued by
two witnessses, or otherwise befoze
the said Lorde Mayre and Aldermen
of this sayde Citie of London, for the
time being, at and in a Court of Al-
dermen, she or they that so happen to
behaue hir or themselues, as is afoze
sayde, shall forfeit, forgoe and lose. ij. d.
of and for euery pound, so due or to be
due vnto hir, or the, by reason of any
such Orphanage, the summe of. xij. d.
of euery. li. to goe, or to be to the vse of
the chamber of y^e sayd citie, accoꝝding
to the auncient custome befoze this
time, in such case vsed. And if the said
contract or mariage of the sayde Or-
phan or Orphans, be made with any
fozein, not being free of this Citie, at
the time of any such contract or ma-
riage made, that then the sayd Orphan
or Orphans, and euery of them shall
forfeit and lose. iij. s. of euery pound,
or to be due vnto hir or them, by ver-
tue of any Orphanage or custome had
and vsed within the sayd Citie. The
one shilling of the sayd. iij. s. of euery
pound,

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pound, to go, or to be, to the vse of the chamber of the sayd citie, in such manner & forme as is aforesaid. And the other .y. s. so forfeited of enery pound, to go to y^e vse of such other Dyphane, or Dyphanes, as the shal remain vnmarried. And els so default of such Dyphanes, or Dyphane, to remain to the next of the kindred of the Dyphane so offending.

Also be it further ordeined, enacted, & established by authoritie aforesaid, for, & in eschewing of diuers variēces, contentions, & lutes, that dayly here-tofore haue, & hereafter may ensue: y^f if any free mans childe, man or woman fortune to be married hereafter, in the life time of his, or their father, by his consent, & not fully aduanced off, & to his, or hir full part, or porciō, of his, or hir, sayd fathers goods, as he shalbe woorth at y^e time of his disease, according to the auncient lawes and customes, of this sayd Citie: that then enery such free mans childe, so being married in the life time of his, or hir father shalbe to all intents and purposes,

for Orphanes.

oses, disabled to demaunde any further part or portion, of his or his fathers goods, after the decease of his, or his father, but shalbe adiudged, repayed and take to be fully advanced, according as the lawe and custome of his citie, hath bene long time out of minde, except his or his sayd father, do mention certainly in his last will, or testament, or by other writing signed with his own proper name, or make the certieintie of the sum or sums of money, goods and cattells, & the value of them that the father gaue, payed or departed withall, or otherwise assured or hereafter shall giue, paye, depart withall, or otherwise make assurance off, vnto him, or his, before or after the mariage of him or his, or otherwise in his lyfe time, so and towards their aduancements, in the name of his, or his part, or portion. And the euery such Orphane, or childe which after the decease of his or his sayd father, can bring forth the sayd Testament or other writing signed or marked with the fathers hand or mark, where.

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Wherof the certaintie of such money, goods, or Cattells, as they haue or shall haue receiued of their sayd Father, or by the same father, assured by specialtie, or otherwise shall haue after much of the ready money, goods, cattells, and debtes, of the sayd Fatherage as (with that which he or they shall haue receiued towards their aduance of payments, in the life of their said father) shall make up a full childe's part, of all his goods and Cattells, as he shall best worth at the time of his decease. These same to be demaunded, asked, & claymed, or sued for against the executors, or executors, administratour, or administrators, of the goods, and Cattells of the sayd Father, by bill Originall, to be commenced to our soueraigne Lord, the kings court, holden in the vtter chamber of the guild-hall in of the sayd citie, befoze the sayd Lord Mayor and Aldermen of the same citie, for the time being, any law or custom, heretofore made, or vled to the contrary, notwithstanding. In which action, no wager of Lawe, or Cessoine shall be

for Orphanes.

one shalbe admitted, or allotted.
e of provided alway and it is further
framed, that if anye free mans sonne,
being of full age (which shall hereafter
after be married with the consent of his
father, or any other person, being of full
age, which shall hereafter marry any
free mans daughter) doe at the time
of the espousalls, or anye time after,
her selfe themselues, by writing fully
satisfied, of his, or their portion, or do
otherwise acquite and discharge, the
father of such free mans sonnes, or
daughters, of all their part and por-
tion, due, or to be due, by the Lawe
and custome of the Citie, that then e-
very such person, so confessing, acqui-
ting, or otherwise discharging, shalbe
reputed and taken, as fully aduan-
ced, of his, or theyr whole part, or por-
tion, & that not be enabled, to demaund
any further, or greater part of y^e sub-
stance, goods, & cattells, of his or her
father: this law, or any other law or
custome heretofore had, made, or used
to the contrary, notwithstanding.

And further, so; as much as it is
thought

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thought very prejudicial & hurtful to the fatherlesse children & Orphanes when the mother, or mother in law being executrix of the last wil & testament of hir late husband, by whom after whose death, the Orphanes are intituled to an Orphanage, (according to the sayd laudable customes of this citie) doe diuers times marry & contract matrimony, some with foreigners, & persons unknowne, & some with free men, or ever a iust Inuentorie of the goods, cattells, plate, Jewells, ready money of the Testatours, be by them brought in: By reason wheroff, many times, they (either for feare or affection of their husbands, or for some other sinister cause) doe bring in very suspicious Inuentories, omittinge therein either ready money, plate, Jewells, & debts, or some other thing, or things whereby some benefit should redound to the fatherlesse children, to the great losse and hinderance of the Orphanes and sometime flaunder to the Lord Mayre, and Aldermen of the Citie notwithstanding their great care, and

for Orphanes.

travaile that they take for the good
ordering, and true answering of the
sayd Orphanes.

It is therefore, by lyke authoritie,
ordained, established, and enacted, that
if after the first day of November next
ensuing, any widow, which is, or shall
be made executrix of the Testament
and last will of hir late husband, (be-
ing a free man) or shall take upon hir
the administration of the goods, & cat-
tells, of hir late husbände (being a
free man) doe not upon hir othe bzing
in, and exhibit, or cause to be brought
in, & exhibited before the Lord Mayre,
and Aldermen of this sayd Citie, for
the time being at, and in a court of Al-
dermen, a iust and perfect Inuentory
(to their knowledge,) of all the goods,
cattells, plate, and Jewells, ready mo-
ney, and debts, as were hir sayd hus-
bands, at the time of his death, appray-
sed according to the law of the said ci-
tie, before she do ensure hir self in ma-
riage, or contract marriage, or els ac-
cording to the lawes of the Realme,
doe perfectly solemnize, or consummate
marie

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marriage with any person, befoze such
tyme as aforesaid, that the euery per-
son so offending, shall forfeit and lose
vij s. of euery pound, of hir portion,
of the goods of hir late husband, due
to hir by the laudable custome of this
sayd Citie, the same to go to the vse of
such Diphane, or Diphanes, as then
shalbe entituled to haue or demaund
any Diphaniage, or portion, after the
death of his or hir late father, the
same to be demaunded, asked, claimed,
or sued for, against suche executrix, or
administratrix, by bil original of debt,
to be commenced, in our Soueraigne
Lord the kings Court, holden in the
utter chamber of the Guild-hall, of the
said citie, befoze the Lord Mayre; and
Aldermen of the same Citie, for

the time being, any law,

ec. In which Action,

no wager.

ec.

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